BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE M.M.PAREED PILLAY
(RETD.CHIEF JUSTICE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

MACA.No. 464 of 2004(C)

OPMV.2320/1997 of MOTOR ACCIDENT CLAIMS TRIBUNAL, ERNAKULAM
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APPELLANTS/PETITIONERS:
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1. VARSHA SHAJI, AGED 32 YEARS, W/O.LATE N.K.SHAJI, RESIDING AT `ROSHNI', THEKKUMBHAGAM, TRIPUNITHURA.

2. MINOR YATHU, AGED 8 AND HALF YEARS, S/O.LATE N.K.SHAJI, REPRESENTED BY HIS NEXT FRIEND & MOTHER VARSHA SHAJI 1ST APPELLANT.

3. PADMAKSHI, AGED 65 YEARS, W/O.LATE KRISHNAN, RESIDING AT `ROSHNI', THEKKUMBHAGAM, TRIPUNITHURA.

4. MINOR YANNI,N.SHAJI, AGED 6 YEARS, S/O.LATE N.K.SHAJI, DO - DO-

BY ADV. SRI.RAJU SEBASTIAN VADAKKEKKARA

RESPONDENTS/RESPONDENTS:
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1. C.SHANMUGHAM, S/O.CHELLIAH, 13 F, BANGLOW STREET, THIRUCHIRAPPILLI - 20, TAMILNADU.

2. A.RAJANGAM, TOLLGATE, TRICHY-20, TAMILNADU.

3. NATIONAL INSURANCE CO.LTD, MUTHOOT TOWERS, M.G.ROAD, COCHIN-25.

BY ADV. SRI.E.M.JOSEPH (FOR R3)

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

JUSTICE M.M.PAREED PILLAY (RETD. CHIEF JUSTICE, HIGH COURT OF KERALA) &
JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)

M.A.C.A. No.464 of 2004 (C)

Dated this the 6th day of June, 2007

AWARD

1st Appellant representing herself, her minor children and 3rd Appellant and the 3rd Respondent were present. Parties have agreed to settle the dispute for an additional amount of Rs.2,25,000/- (Rupees Two lakhs and twenty five thousand only), over and above the amount deposited before the MACT. This will be deposited by the 3rd Respondent before the MACT within two months from the date of receipt of a copy of this award failing which the amount will carry interest at the rate of 9% per annum from the date of default till payment. In view of the difficulties pointed out by the 1st appellant-mother for meeting the urgent educational expenses of the minor children, the entire sum of Rs.2,25,000/-, when deposited will be released in favour of the 1st appellant on her behalf and on behalf of appellants 2 to 4 as well.

MACA is disposed of as above.

JUSTICE M.M.PAREED PILLAY
(RETD. CHIEF JUSTICE, HIGH COURT OF KERALA)

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JUSTICE M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

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